

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

MARCELLO PEREZ,

Plaintiff,

vs.

ARAMARK, et al.,

Defendants.

1:23-cv-00581-JLT-EPG

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS IN FULL

(Doc. 5)

Plaintiff Marcello Perez, an inmate at the Madera County Jail, proceeds *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 7, 2023, the assigned magistrate judge issue findings and recommendations, recommending that this action be dismissed based on Plaintiff's failure to pay the filing fee pursuant to 28 U.S.C. § 1914 or to file an application to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. (Doc. 5.) Plaintiff was permitted thirty days to file objections to the findings and recommendations. To date, Plaintiff has not filed objections or otherwise responded to the findings and recommendations. Moreover, court filings have been returned as undeliverable to Plaintiff, indicating that he has failed to update his address as required by the Court's Local Rules. *See* Local Rule 182(f), 183(b).

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 304, this  
2 Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file,  
3 the Court finds the findings and recommendations to be supported by the record and proper  
4 analysis.

5 Accordingly, **THE COURT HEREBY ORDERS** that:

- 6 1. The Findings and Recommendations issued on June 7, 2023, (Doc. 5), are  
7 **ADOPTED IN FULL.**
- 8 2. This action is **DISMISSED**, without prejudice, based on Plaintiff's failure to  
9 pay the filing fee pursuant to 28 U.S.C. § 1914 or to file an application to  
10 proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915.
- 11 3. The Clerk of Court is directed to close this case.

12  
13 IT IS SO ORDERED.

14 Dated: **July 17, 2023**

  
UNITED STATES DISTRICT JUDGE